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March 13, 2006

VIA ELECTRONIC FILING

The Honorable Joseph J. Farnan, Jr.
USDC for the District of Delaware
844 King Street
Wilmington, DE 19801

Re: *Affymetrix, Inc. v. Illumina, Inc.*, D. Del., C.A. No. 04-901-JJF

Your Honor:

Pursuant to the Court's guidance at the February 15, 2006 hearing, the parties have met and conferred and reached agreement on a schedule for activities and briefing in advance of the April 20, 2006 Markman hearing in the above matter. Counsel for the parties have also discussed and propose for the Court's consideration a schedule for adaptation to claim construction in patent cases generally. The parties' proposal in this action tracks this general schedule, but differs slightly to accommodate conflicts in their schedules.

The parties propose the following:

<u>Action</u>	<u>Affymetrix v. Illumina</u>	<u>General Schedule</u>
Patentee to serve list of terms to be construed and proposed constructions	March 16, 2006	35 calendar days prior to Markman hearing
Accused infringer to serve proposed constructions for terms identified by patentee and to identify additional terms to be construed with proposed constructions	March 21, 2006	28 calendar days prior to Markman hearing
Patentee to serve proposed constructions for any additional terms identified by accused infringer	March 27, 2006	21 calendar days prior to Markman hearing

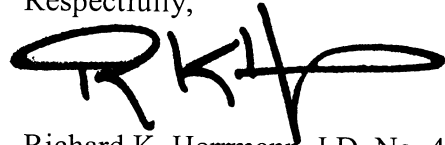
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Parties to serve and file opening Markman briefs	April 5, 2006	14 calendar days prior to Markman hearing
Parties to serve and file responsive Markman briefs	April 14, 2006	7 calendar days prior to Markman hearing
Markman hearing	April 20, 2006 1:30 p.m.	Per Court Order

We are available at Your Honor's convenience if the Court would like to discuss this proposed schedule.

Respectfully,

A handwritten signature in black ink, appearing to read 'RKH', with a long horizontal flourish extending to the right.

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cc: Dr. Peter T. Dalleo, Clerk of the Court (via electronic filing)
MaryEllen Noreika, Esq. (via electronic filing)
Michael J. Malecek, Esq. (via email)